

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
:
KIRAN VUPPALA, :
:
Plaintiff, : 23-CV-299 (VSB)
-against- :
:
403 LAFAYETTE LLC, a New York limited :
liability company, d/b/a PARK IT :
MANAGEMENT CORP, and KALODOP II :
PARK CORP., a New York corporation, :
:
Defendants. :
:
----- X

ORDER

VERNON S. BRODERICK, United States District Judge:

Plaintiff filed this action on January 12, 2023, (Doc. 1), and filed an affidavit of service on March 18, 2023, (Doc. 8). The deadline for Defendants to respond to Plaintiff's complaint was February 24, 2023. (*See* Doc. 8.) On March 30, 2023, I filed an order directing Plaintiff to file for default judgment against Defendants for failure to appear or respond to the complaint. (Doc. 9.) On April 5, 2023, Defense counsel filed a notice of appearance, (Docs. 10–11), and the parties filed a joint letter requesting that I grant an extension until May 5, 2023 to respond to the complaint, (Doc. 12). I granted the extension request and ordered the Defendants to respond to the complaint by May 5, 2023. (Doc. 13.) On April 10, 2023, I granted Plaintiff's request to vacate my order regarding default judgment. (Doc. 15.)¹ On May 3, 2023, the parties filed a second 30-day extension request. (Doc. 16.) Following this second extension, Defendants' answer was due on June 5, 2023. (*See* Doc. 17.) To date, Defendants have not responded to the complaint. Plaintiff, however, has taken no action to prosecute this case. Accordingly, if

¹ Plaintiff's motion to vacate, (Doc. 14), was technically flagged by the Clerk's Office for an event type error.

Plaintiff intends to seek a default judgment, they are directed to do so in accordance with Rule 4(H) of my Individual Rules and Practices in Civil Cases by no later than June 14, 2023. If Plaintiff fails to do so or otherwise demonstrate that they intend to prosecute this litigation, I will dismiss this case for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED.

Dated: June 7, 2023
New York, New York



VERNON S. BRODERICK
United States District Judge